

**CBSC STAFF REPORT**  
**2004 Annual Cycle Monograph Item 6**

**PROPOSING STATE AGENCY:**

Division of the State Architect-Structural Safety (DSA/SS 01/04)

**APPLICATION AFFECTED:**

State-owned and state-leased essential services buildings and public elementary and secondary schools and community colleges

**SUBJECT:**

Part 2, California Building Code, Volume 2, Chapters 16A, 18A, 19A, 21A, 22A, and 23A of Title 24, California Code of Regulations:

**Part 2, Volume 2**

- Proposed modifications to Chapter 16A through 22A including amendments for updating regulations to nonstructural components in state essential services buildings and public schools to follow provisions of NEHRP Recommended Provisions for Seismic Regulations for New Buildings and Other Structures, 2000 Edition, FEMA 368.
- Updating the reference to the National Design Specifications (NDS) to the 2001 from the 1991 edition, which is no longer published. Updates concern Chapter 23A amendments.
- Incorporate minor editorial and technical corrections that have been made throughout these chapters.

**FINDINGS:**

CBSC Code Advisory Committee Comments/Recommendations

CBSC's Structural Design and Lateral Forces Code Advisory Committee (SDLF CAC) recommended approve as submitted/resubmitted.

DSA/SS withdrew Sub-item 6-16.

(See pages 2-57 through 2-97 of the May, 2005 Code Change Monograph, Volume II.)

Public Comment & Agency Responses to Comments

Sub-items 6-36 and 6-38: Commenter #1, David P. Tyree, P.E., C.B.O., representing American Forest and Paper Assoc., requests approve as amended for the following reasons, based on Criteria 3 & 7: (See pages 72 through 84 of the October, 2005 Public Comment Monograph.)

Mr. David P. Tyree is requesting that the 2005 NDS, which is now available, be referenced in Chapter 23A instead of the 2001 NDS edition which is currently referenced through state agency amendments to the 2001 CBC. The agencies' amendments to the 2001 NDS are unnecessary or onerous to builders as well as the nominal english and metric dimensions referenced in several sections should be correlated for equivalency.

Response by agency: DSA/SS proposes to make no change to their regulations to accommodate Mr. Tyree's Comment because the 2005 edition of the NDS was not yet published when the agency submitted its 2004 Annual Cycle amendment package. To change the references to the 2005 NDS, eliminate proposed amendments, and correlate English and metric equivalents would be substantive modifications beyond the scope of this rulemaking and the agency will consider Mr. Tyree's remarks with its adoption of the 2006 International Building Code, which references the 2005 NDS. (See pages 2 through 10 of the Final Statement of Reasons, which follows this report.)

Staff Findings:

DSA/SS's submittal appears to be compliant with the Administrative Procedure Act and Building Standards Law.

**COMMISSION ACTION:**

For efficiency, staff recommends that the commission act on uncontested sub-items in one motion, and act on the remaining sub-items individually. Since Items 6 and 7 for DSA/SS and OSHPD are virtually identical, including public comments and responses, these items can be taken up in one motion as well.

The Commission may take any one of the following actions on these sub-items, then act on Item 6 as a whole:

- ❖ **Approve**
- ❖ **Disapprove**
- ❖ **Approve as Amend**
- ❖ **Further Study**